

AMENDED IN ASSEMBLY JUNE 13, 2005

AMENDED IN SENATE APRIL 21, 2005

**SENATE BILL**

**No. 310**

---

**Introduced by Senator Chesbro**

February 16, 2005

---

An act to amend Section ~~24011 of the Business and Professions Code, relating to alcoholic beverages; 1048 of the Military and Veterans Code, relating to veterans' homes.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 310, as amended, Chesbro. ~~Alcoholic beverages: licensing.~~ *Veterans' homes: funding.*

*Existing law requires the administrator of a veteran's home to maintain a Morale, Welfare, and Recreation Fund to be used for the general welfare of the residents of veterans' homes.*

*This bill would require the fund established for the Yountville facility to maintain a reserve in the amount of \$2,000,000.*

~~The Alcoholic Beverage Control Act imposes upon the Department of Alcoholic Beverage Control the responsibility to administer and enforce state laws with respect to alcoholic beverages, including the approval or denial of alcoholic beverage license applications. Existing law provides that an applicant who is denied a license may petition the department.~~

~~This bill would provide that an applicant may petition the department within 10 business days after the department mails the denial notice to the applicant.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. The Legislature finds and declares all of the*  
2     *following:*

3     *(a) The Morale, Welfare, and Recreation Fund is critical to*  
4     *promoting an enhanced quality of life for residents of veterans'*  
5     *homes.*

6     *(b) A financially sound Morale, Welfare, and Recreation Fund*  
7     *is necessary to meet the long-term financial obligations of*  
8     *providing services and activities for the residents of veterans'*  
9     *homes.*

10    *(c) Annual contributions to the Morale, Welfare, and*  
11    *Recreation Fund are uncertain and likely to decrease in the*  
12    *coming years.*

13    *(d) A prudent reserve of income-producing funds is desirable*  
14    *to ensure that services and activities for residents of veterans'*  
15    *homes are maintained.*

16    *SEC. 2. Section 1048 of the Military and Veterans Code is*  
17    *amended to read:*

18    1048. (a) The Morale, Welfare, and Recreation Fund shall  
19    include proceeds from operations of the Veterans' Home  
20    Exchange, revenue derived from the issuance of prisoner-of-war  
21    special license plates pursuant to Section 5101.5 of the Vehicle  
22    Code, all funds derived from golf course green fees and range  
23    ball fees, all donations to the fund, interest earned on invested  
24    funds, funds derived from the estates of deceased members, and  
25    any other moneys or property described in this chapter,  
26    including, but not limited to, moneys and properties received by  
27    the home from estate assets located outside the home, regardless  
28    of amount.

29    *(b) The Morale, Welfare, and Recreation Fund for the*  
30    *Veterans' Home of California, Yountville, shall maintain a*  
31    *reserve in the amount of two million dollars (\$2,000,000).*

32    ~~(b)~~

33    *(c) The administrator shall prepare an itemized report that is*  
34    *organized by category and accounts for all funds deposited into*  
35    *the Morale, Welfare, and Recreation Fund and transmitted to the*  
36    *Controller under Section 1047 during the previous fiscal year and*  
37    *shall submit the report on or before August 20 of each year to all*  
38    *of the following:*

- 1 (1) The secretary.
- 2 (2) The fiscal committees of the Assembly and the Senate.
- 3 (3) The committees of the Assembly and the Senate that have
- 4 subject matter jurisdiction over veterans' affairs.
- 5 (4) The Veterans' Home Allied Council.

6 ~~SECTION 1. Section 24011 of the Business and Professions~~  
7 ~~Code is amended to read:~~

8 ~~24011. Immediately upon the denial of any application for a~~  
9 ~~license, the department shall notify the applicant in writing.~~  
10 ~~Within 10 business days after the department mails the notice,~~  
11 ~~the applicant may present his written petition for a license to the~~  
12 ~~department.~~